



I hereby certify that this correspondence is being deposited with the U.S. Postal Service for postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: October 27, 2003

Signature: 

(Thomas A. Miller)

Docket No.: 29968/38059A  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Kenneth A. Shaw, et al.

Application No.: 10/624,113

Filed: July 21, 2003

Art Unit: Not Yet Assigned

For: SELECTABLE WIDTH TRACK  
APPARATUS AND METHOD FOR A  
GRAVITY FED SHELVING SYSTEM

Examiner: Not Yet Assigned

**INFORMATION DISCLOSURE STATEMENT (IDS)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed within three months of the U.S. filing date (37 CFR 1.97(b)(1)).

A copy of each reference on PTO/SB/08 is attached. A copy of Patent Document No. 558,453 is also enclosed. A country of origin is not provided on the document, but it was cited in the parent application, serial no. 10/141,559.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other

material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 13-2855, under Order No. 29968/38059A. A duplicate copy of this paper is enclosed.

Dated: October 27, 2003

Respectfully submitted,

By 

Thomas A. Miller

Registration No.: 40,091

MARSHALL, GERSTEIN & BORUN LLP

233 S. Wacker Drive

6300 Sears Tower

Chicago, Illinois 60606-6357

(312) 474-6300

Attorney for Applicant

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 1

**Complete if Known**

Application Number	10/624,113
Filing Date	July 21, 2003
First Named Inventor	Kenneth A. Shaw
Art Unit	Not Yet Assigned
Examiner Name	Not Yet Assigned
Attorney Docket Number	29968/38059A

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		6,302,255-B1	10-16-2001	Hollander	
		6,510,935-B1	01-28-2003	McIlvaine	
		2,470,275	05-17-1949	Warshaw	
		2,801,730	08-06-1957	Strickler	
		2,969,863	01-31-1961	Woldring et al.	
		2,983,352	05-09-1961	Flora et al.	
		3,586,142	05-01-1969	Inwood et al.	
		3,954,170	05-04-1976	Schlough	
		4,718,154	01-12-1988	Bauer et al.	
		5,048,661	09-17-1991	Toye	
		5,178,288	01-12-1993	Werner et al.	
		5,474,412	12-12-1995	Pfeiffer et al.	
		5,788,090	08-04-1998	Kajiwara	
		5,845,794	12-08-1998	Highsmith	
		5,887,732	03-30-1999	Zimmer et al.	
		5,951,228	09-14-1999	Pfeiffer et al.	
		6,016,900	01-25-2000	Longrod	
		6,089,385	07-18-2000	Nozawa	
		6,105,798	08-22-2000	Gruber et al.	
		6,132,158	10-17-2000	Pfeiffer et al.	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		CH-302656	01-03-1955	Societe Anonyme des Roulements a Aiguilles [Needle Bearing Corporation]		
		DE-1,187,712	04-15-1970	Demag-Zug G.M.B.H. of Wetter/Ruhr	Full translation	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		"Cut Your Labor Costs in Half with the Anthony Model 4500 VOLUMEMASTER Gravity Flow Racks", brochure published by Anthony Manufacturing Company, n.a, n.d.	
		"Gravity Flow shelving Systems/Nyla-Rol Catalog", brochure published by B-O-F Corporation, 1994	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature	Date Considered
--------------------	-----------------



Application No. 10/624,1

Attorney Docket No.: 29968/38059A

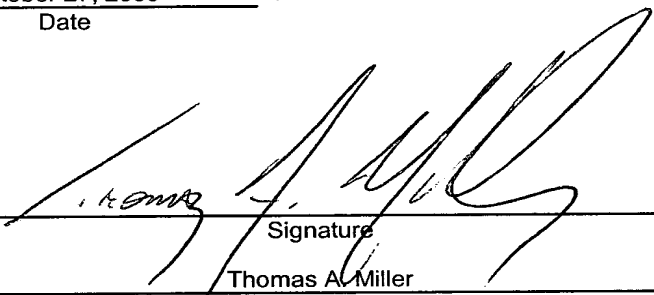
## Certificate of Mailing Under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

on October 27, 2003

Date

  
\_\_\_\_\_  
Signature  
\_\_\_\_\_  
Thomas A. Miller  
\_\_\_\_\_  
Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

IDS (Citation) by Applicant